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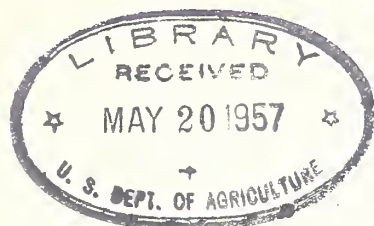
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LEMON ORDER NO. 53

Effective Dec. 15, 1955

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE



HANDLING OF LEMONS GROWN IN CALIFORNIA AND ARIZONA

[Reprinted from Federal Register of November 11, 1955 (20 F.R. 8452)]

PART 953—LEMONS GROWN IN CALIFORNIA
AND ARIZONA

ORDER AMENDING ORDER, AS AMENDED, REGU-
LATING HANDLING OF LEMONS GROWN IN
CALIFORNIA AND ARIZONA

§ 953.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations made in connection with the issuance of this order and each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and the applicable rules of practice and procedure effective thereunder (7 CFR Part 900; 19 F. R. 57), a public hearing was held at Los Angeles, California, on April 13, 1955, upon proposed amendments to Marketing Agreement No. 94, as amended, and Order No. 53, as amended (7 CFR Part 953) regulating the handling of lemons grown in California and Arizona. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act, including the establishment and maintenance of such orderly marketing conditions for lemons grown in the States of California and Arizona as will provide, in the interests of producers and consumers, an orderly flow thereof to market throughout its normal marketing season to avoid unreasonable fluctuations in supplies and prices;

(2) The said order, as amended, and as hereby further amended, regulates the handling of lemons grown in the States of California and Arizona in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in, the marketing agreement upon which hearings have been held;

(3) The said order, as amended, and as hereby further amended, is limited in its application to the smallest regional production area that is practicable, consistently with carrying out the declared policy of the act; and the issuance of several orders applicable to subdivisions of such production area would not effectively carry out the declared policy of the act; and

(4) The said order, as amended, and as hereby further amended, prescribes, so far as practicable, such different terms, applicable to different parts of the production area, as are necessary to give due recognition to differences in the production and marketing of the lemons covered thereby.

(b) *Determinations.* It is hereby determined that:

(1) The "Agreement Amending the Marketing Agreement, as Amended, Regulating the Handling of Lemons Grown in California and Arizona," upon which the aforesaid public hearing was held, has been signed by handlers (excluding cooperative associations of producers who were not engaged in processing, distributing, or shipping the lemons covered by this order) who, during the period November 1, 1953, through October 31, 1954, shipped not less than 80 percent of the volume of lemons covered by said order, as amended, and hereby further amended;

(2) The issuance of this order, amending the aforesaid order, as amended, is favored, or approved, by at least three-fourths of the producers who, during the determined representative period (No-

vember 1, 1953, through October 31, 1954), were engaged within the production area specified in said order, as amended, in the production of lemons for market; and

(3) The issuance of this order, amending the aforesaid order as amended, is favored or approved by producers who, during the aforesaid representative period, produced for market at least two-thirds of the volume of lemons produced within California and Arizona for market.

It is, therefore, ordered, That, on and after the effective date hereof, all handling of lemons grown in the production area shall be in conformity to, and in compliance with, the terms and conditions of the aforesaid order, as amended, and as hereby further amended as follows:

1. Delete the provisions of § 953.2 Act and insert, in lieu thereof, the following:

§ 953.2 Act. "Act" means Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 68 Stat. 906, 1047).

2. Insert the following new sentence immediately preceding the last sentence of § 953.52 *Issuance of regulations*: "Such regulation may be made effective, as authorized by the act, irrespective of whether the season average price for lemons is in excess of the parity price specified therefor in the act."

3. Delete the word "two" wherever it appears in paragraph (h) of § 953.22 *Nominations* and insert, in lieu thereof, the word "one".

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Done at Washington, D. C., this 7th day of November 1955, to become effective December 15, 1955.

[SEAL]

TRUE D. MORSE,
Acting Secretary.

Effective June 22, 1956

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

HANDLING OF LEMONS GROWN IN CALIFORNIA AND ARIZONA

[Reprinted from Federal Register of June 22, 1956 (21 F.R. 4393)]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

ORDER AMENDING ORDER, AS AMENDED, REGULATING HANDLING OF LEMONS GROWN IN CALIFORNIA AND ARIZONA

§ 953.0 *Findings and determinations.* The findings and determinations herein-after set forth are supplementary and in addition to the findings and determinations made in connection with the issuance of this order and each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and the applicable rules of practice and procedure effective thereunder (7 CFR Part 900) a public hearing was held at Los Angeles, California, on January 25, 1956, upon proposed amendments to Marketing Agreement No. 94, as amended, and Order No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in California and Arizona. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act, including the establishment and maintenance of such orderly marketing conditions for lemons grown in the States of California and Arizona as will provide, in the interests of producers and consumers, an orderly flow thereof to market throughout its normal marketing season to avoid unreasonable fluctuations in supplies and prices;

(2) The said order, as amended, and as hereby further amended, regulates the handling of lemons grown in the States of California and Arizona in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in, the marketing agreement upon which hearings have been held;

(3) The said order, as amended, and as hereby further amended, is limited in its application to the smallest regional production area that is practicable, con-

sistently with carrying out the declared policy of the act; and the issuance of several orders applicable to subdivisions of such production area would not effectively carry out the declared policy of the act; and

(4) The said order, as amended, and as hereby further amended, prescribes, so far as practicable, such different terms, applicable to different parts of the production area, as are necessary to give due recognition to differences in the production and marketing of the lemons covered thereby.

(b) *Additional findings.* It is hereby determined on the basis hereinafter indicated that good cause exists for making the provisions of this order effective not later than the date of publication in the FEDERAL REGISTER; and that it would be contrary to the public interest to postpone such effective date until 30 days after publication (60 Stat. 237; 5 U. S. C. 1001 et seq.). The marketing of lemons takes place throughout the year and the heaviest movement of the 1955-56 season is now in progress. To be of maximum benefits, it is necessary that the provisions of these amendments be made effective as soon as possible; and the amendments relieve restrictions in that, under certain circumstances, handlers overshipment tolerances for a week is increased. The provisions of this order are well known to handlers. The public hearing in connection therewith was held at Los Angeles, California, on January 25, 1956, and the recommended decision and the final decision were published in the FEDERAL REGISTER on April 17, 1956 (21 F. R. 2477) and May 10, 1956 (21 F. R. 3115), respectively. Copies of the provisions of this order were made available to all known interested parties, and compliance with such provisions will not require advance preparation on the part of persons subject thereto which cannot be completed prior to the effective date hereof.

(c) *Determinations.* It is hereby determined that:

(1) The "Agreement Amending the Marketing Agreement, as Amended, Regulating the Handling of Lemons Grown in California and Arizona," upon which the aforesaid public hearing was held, has been signed by handlers (excluding cooperative associations of producers who were not engaged in processing, distributing, or shipping the lemons covered by this order) who, dur-

ing the period November 1, 1954, through October 31, 1955, shipped not less than 80 percent of the volume of lemons covered by said order, as amended, and hereby further amended;

(2) The issuance of this order, amending the aforesaid order, as amended, is favored or approved, by at least three-fourths of the producers who, during the determined representative period (November 1, 1954, through October 31, 1955), were engaged within the production area specified in said order, as amended, in the production of lemons for market; and

(3) The issuance of this order, amending the aforesaid order as amended, is favored or approved by producers who, during the aforesaid representative period, produced for market at least two-thirds of the volume of lemons produced within California and Arizona for market.

It is, therefore, ordered. That, on and after the effective date hereof, all handling of lemons grown in the production area shall be in conformity to, and in compliance with, the terms and conditions of the aforesaid order, as amended, and as hereby further amended as follows:

1. Delete the provisions of § 953.8 and substitute in lieu thereof the following:

§ 953.8 *Carload.* "Carload" means a quantity of lemons equivalent to 930 cartons of lemons, or such other quantity of lemons as may be established by the committee with the approval of the Secretary.

2. Delete the provisions of § 953.9 and substitute in lieu thereof the following:

§ 953.9 *Carton.* "Carton" means a standard container number 58 as defined in section 828.83 of the Agricultural Code of California, as amended, of a capacity of approximately 39½ pounds of lemons, or such other container and capacity as may be established by the committee with the approval of the Secretary, or the equivalent thereof.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Done at Washington, D. C., this 18th day of June 1956, to become effective upon publication in the FEDERAL REGISTER.

[SEAL]

EARL L. BUTZ,
Assistant Secretary.